

1 Michael R. Lazerwitz (PRO HAC VICE)
2 Jeremy J. Calsyn (State Bar No. 205062)
3 Lee F. Berger (State Bar No. 222756)
4 CLEARY GOTTLIEB STEEN & HAMILTON LLP
5 2000 Pennsylvania Ave., NW
6 Washington, DC 20006
(202) 974-1500 (Phone)
(202) 974-1999 (Facsimile)
mlazerwitz@cgsh.com
jcalsyn@cgsh.com
lberger@cgsh.com

7 *Counsel for Defendants LG Display Co., Ltd. and*
LG Display America, Inc.

8 [Additional counsel listed on signature page]

9
10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 (SAN FRANCISCO DIVISION)

13
14 IN RE: TFT-LCD (FLAT PANEL)
15 ANTITRUST LITIGATION

16
17 CASE NO. 3:07-md-1827 SI
18 MDL NO. 1827

19 This Document Relates To:

20
21 State of New York v. AU Optronics Corp., et al.,
22 3:11-cv-711 SI

23
24 STIPULATION AND [PROPOSED]—
25 ORDER

26 The Honorable Susan J. Illston

27 WHEREAS on September 21, 2010, defendants¹ submitted to the Southern District of New
28 York its Notice of Motion to Stay Proceedings, Docket Number 14 (“Stay Motion”), asking that court

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
5510
5511
5512
5513
5514
5515
5516
5517
5518
5519
5520
5521
5522
5523
5524
5525
5526
5527
5528
5529
5530
5531
5532
5533
5534
5535
5536
5537
5538
5539
55310
55311
55312
55313
55314
55315
55316
55317
55318
55319
55320
55321
55322
55323
55324
55325
55326
55327
55328
55329
55330
55331
55332
55333
55334
55335
55336
55337
55338
55339
55340
55341
55342
55343
55344
55345
55346
55347
55348
55349
55350
55351
55352
55353
55354
55355
55356
55357
55358
55359
55360
55361
55362
55363
55364
55365
55366
55367
55368
55369
55370
55371
55372
55373
55374
55375
55376
55377
55378
55379
55380
55381
55382
55383
55384
55385
55386
55387
55388
55389
55390
55391
55392
55393
55394
55395
55396
55397
55398
55399
553100
553101
553102
553103
553104
553105
553106
553107
553108
553109
553110
553111
553112
553113
553114
553115
553116
553117
553118
553119
553120
553121
553122
553123
553124
553125
553126
553127
553128
553129
553130
553131
553132
553133
553134
553135
553136
553137
553138
553139
553140
553141
553142
553143
553144
553145
553146
553147
553148
553149
553150
553151
553152
553153
553154
553155
553156
553157
553158
553159
553160
553161
553162
553163
553164
553165
553166
553167
553168
553169
553170
553171
553172
553173
553174
553175
553176
553177
553178
553179
553180
553181
553182
553183
553184
553185
553186
553187
553188
553189
553190
553191
553192
553193
553194
553195
553196
553197
553198
553199
553200
553201
553202
553203
553204
553205
553206
553207
553208
553209
553210
553211
553212
553213
553214
553215
553216
553217
553218
553219
553220
553221
553222
553223
553224
553225
553226
553227
553228
553229
553230
553231
553232
553233
553234
553235
553236
553237
553238
553239
553240
553241
553242
553243
553244
553245
553246
553247
553248
553249
553250
553251
553252
553253
553254
553255
553256
553257
553258
553259
553260
553261
553262
553263
553264
553265
553266
553267
553268
553269
553270
553271
553272
553273
553274
553275
553276
553277
553278
553279
553280
553281
553282
553283
553284
553285
553286
553287
553288
553289
553290
553291
553292
553293
553294
553295
553296
553297
553298
553299
553300
553301
553302
553303
553304
553305
553306
553307
553308
553309
553310
553311
553312
553313
553314
553315
553316
553317
553318
553319
553320
553321
553322
553323
553324
553325
553326
553327
553328
553329
553330
553331
553332
553333
553334
553335
553336
553337
553338
553339
553340
553341
553342
553343
553344
553345
553346
553347
553348
553349
553350
553351
553352
553353
553354
553355
553356
553357
553358
553359
553360
553361
553362
553363
553364
553365
553366
553367
553368
553369
553370
553371
553372
553373
553374
553375
553376
553377
553378
553379
553380
553381
553382
553383
553384
553385
553386
553387
553388
553389
553390
553391
553392
553393
553394
553395
553396
553397
553398
553399
553400
553401
553402
553403
553404
553405
553406
553407
553408
553409
553410
553411
553412
553413
553414
553415
553416
553417
553418
553419
553420
553421
553422
553423
553424
553425
553426
553427
553428
553429
553430
553431
553432
553433
553434
553435
553436
553437
553438
553439
553440
553441
553442
553443
553444
553445
553446
553447
553448
553449
553450
553451
553452
553453
553454
553455
553456
553457
553458
553459
553460
553461
553462
553463
553464
553465
553466
553467
553468
553469
553470
553471
553472
553473
553474
553475
553476
553477
553478
553479
553480
553481
553482
553483
553484
553485
553486
553487
553488
553489
553490
553491
553492
553493
553494
553495
553496
553497
553498
553499
553500
553501
553502
553503
553504
553505
553506
553507
553508
553509
553510
553511
553512
553513
553514
553515
553516
553517
553518
553519
553520
553521
553522
553523
553524
553525
553526
553527
553528
553529
553530
553531
553532
553533
553534
553535
553536
553537
553538
553539
553540
553541
553542
553543
553544
553545
553546
553547
553548
553549
553550
553551
553552
553553
553554
553555
553556
553557
553558
553559
553560
553561
553562
553563
553564
553565
553566
553567
553568
553569
553570
553571
553572
553573
553574
553575
553576
553577
553578
553579
553580
553581
553582
553583
553584
553585
553586
553587
553588
553589
553590
553591
553592
553593
553594
553595
553596
553597
553598
553599
553600
553601
553602
553603
553604
553605
553606
553607
553608
553609
553610
553611
553612
553613
553614
553615
553616
553617
553618
553619
553620
553621
553622
553623
553624
553625
553626
553627
553628
553629
553630
553631
553632
553633
553634
553635
553636
553637
553638
553639
553640
553641
553642
553643
553644
553645
553646
553647
553648
553649
553650
553651
553652
553653
553654
553655
553656
553657
553658
553659
553660
553661
553662
553663
553664
553665
553666
553667
553668
553669
5536610
5536611
5536612
5536613
5536614
5536615
5536616
5536617
5536618
5536619
5536620
5536621
5536622
5536623
5536624
5536625
5536626
5536627
5536628
5536629
5536630
5536631
5536632
5536633
5536634
5536635
5536636
5536637
5536638
5536639
5536640
5536641
5536642
5536643
5536644
5536645
5536646
5536647
5536648
5536649
5536650
5536651
5536652
5536653
5536654
5536655
5536656
5536657
5536658
5536659
5536660
5536661
5536662
5536663
5536664
5536665
5536666
5536667
5536668
5536669
55366610
55366611
55366612
55366613
55366614
55366615
55366616
55366617
55366618
55366619
55366620
55366621
55366622
55366623
55366624
55366625
55366626
55366627
55366628
55366629
55366630
55366631
55366632
55366633
55366634
55366635
55366636
55366637
55366638
55366639
55366640
55366641
55366642
55366643
55366644
55366645
55366646
55366647
55366648
55366649
55366650
55366651
55366652
55366653
55366654
55366655
55366656
55366657
55366658
55366659
55366660
55366661
55366662
55366663
55366664
55366665
55366666
55366667
55366668
55366669
553666610
553666611
553666612
553666613
553666614
553666615
553666616
553666617
553666618
553666619
553666620
553666621
553666622
553666623
553666624
553666625
553666626
553666627
553666628
553666629
553666630
553666631
553666632
553666633
553666634
553666635
553666636
553666637
553666638
553666639
553666640
553666641
553666642
553666643
553666644
553666645
553666646
553666647
553666648
553666649
553666650
553666651
553666652
553666653
553666654
553666655
553666656
553666657
553666658
553666659
553666660
553666661
553666662
553666663
553666664
553666665
553666666
553666667
553666668
553666669
5536666610
5536666611
5536666612
5536666613
5536666614
5536666615
5536666616
5536666617
5536666618
5536666619
5536666620
5536666621
5536666622
5536666623
5536666624
5536666625
5536666626
5536666627
5536666628
5536666629
5536666630
5536666631
5536666632
5536666633
5536666634
5536666635
5536666636
5536666637
5536666638
5536666639
5536666640
5536666641
5536666642
5536666643
5536666644
5536666645
5536666646
5536666647
5536666648
5536666649
5536666650
5536666651
5536666652
5536666653
5536666654
5536666655
5536666656
5536666657
5536666658
5536666659
5536666660
5536666661
5536666662
5536666663
5536666664
5536666665
5536666666
5536666667
5536666668
5536666669
553

1 to stay the State of New York's litigation pending the Judicial Panel on Multidistrict Litigation's
2 ("JPML") decision on whether to transfer this case as a tag-along action to the ongoing consolidated
3 proceedings before this Court;

4 WHEREAS, before the Southern District of New York ruled on the motion, the JPML
5 decided to transfer this case to this Court for inclusion in the coordinated pretrial proceedings already
6 in progress. See Transfer Order (Dkt. No. 2405);

7 WHEREAS, the parties agree that because this case has already been transferred to the MDL
8 litigation, the Stay Motion's request to stay the case pending transfer to the MDL is moot;

9 WHEREAS, on September 22, 2010, the State of New York filed its motion to remand this
10 action to New York state court ("Remand Motion"), defendants timely opposed the Remand Motion,
11 and the Remand Motion is now fully briefed;

12 WHEREAS, on March 15, 2011, the State of New York filed an Amended Complaint in the
13 above-captioned case (Dkt. No. 2556), and the Amended Complaint asserts claims under federal law;

14 WHEREAS, the State of New York no longer wishes to remand this action to New York state
15 court and defendants agree that this action should not be remanded, and therefore the parties agree
16 that the Remand Motion is moot; and

17 WHEREAS, the parties have agreed that an orderly schedule for the response to the Amended
18 Complaint would be most efficient for the parties and for the Court;

19 THEREFORE, the State of New York and defendants hereby agree:

20
21
22
23
24
25
26
27
28

1. The Stay Motion should be withdrawn as moot.
2. The Remand Motion should be withdrawn as moot.
3. The briefing for defendants' responses to the Amended Complaint should be as follows:
 5. (a) Defendants' responses to the Amended Complaint shall be due on May 5, 2011.
 7. (b) Plaintiff's opposition shall be due on June 21, 2011.
 8. (c) Defendants' replies shall be due on July 13, 2011.
9. 4. Except as set forth above, all Federal and Local Rules shall remain in effect with respect to the pleadings and the briefing on the motions. Entering into this stipulation does not constitute a waiver of any defense, including under Federal Rule of Civil Procedure 12.
12. 5. The parties respectfully request the Court to enter this stipulation as an order.

13
14
15 IT IS SO STIPULATED.

16
17 DATED: March 21, 2011

18
19 By: s/ Michael R. Lazerwitz
20 Michael R. Lazerwitz (PRO HAC VICE)
21 Jeremy J. Calsyn (State Bar No. 205062)
22 Lee F. Berger (State Bar No. 222756)
23 CLEARY GOTTLIEB STEEN & HAMILTON LLP
24 2000 Pennsylvania Ave., NW
25 Washington, DC 20006
26 (202) 974-1500 (Phone)
27 (202) 974-1999 (Facsimile)
28 mlazerwitz@cgsh.com

Attorneys for Defendants

LG Display Co., Ltd. and LG Display America, Inc.

1
2
3 By: s/ Christopher A. Nedeau

4 Christopher A. Nedeau
5 Carl L. Blumenstein
6 Allison Dibley
7 NOSSAMAN LLP
8 50 California Street, 34th Floor
9 San Francisco, CA 94111
10 (415) 438-7274 (telephone)

11
12 *Attorneys for Defendants*
13 AU Optronics Corporation and AU Optronics
14 Corporation America, Inc.

15
16 By: s/ Steven F. Cherry

17 Steven F. Cherry
18 Adam Raviv
19 WILMER CUTLER PICKERING HALE AND DORR LLP
20 1875 Pennsylvania Avenue, NW
21 Washington, DC 20006-3642
22 (202) 663-6000 (Phone)
23 (202) 663-6363 (Facsimile)
24 Steven.Cherry@wilmerhale.com
25 Adam.Raviv@wilmerhale.com

26
27 *Attorneys for Defendants*
28 Chi Mei Corporation, Chimei Innolux Corporation f/k/a Chi
Mei Optoelectronics Corporation, Chi Mei Optoelectronics
USA, Inc., CMO Japan Co., Ltd., Nexgen Mediatech USA,
Inc., and Nexgen Mediatech, Inc.

1
2 By: s/ Kent M. Roger
3

4 Kent M. Roger (State Bar No. 95987)
5 Michelle Kim-Szrom (State Bar No. 252901)
6 MORGAN LEWIS & BOCKIUS LLP
7 One Market, Spear Street Tower
8 San Francisco, CA 94105-1126
9 (415) 442-1000 (Phone)
10 (415) 442-1001 (Facsimile)
11 kroger@morganlewis.com
12 mkim-szrom@morganlewis.com

13 *Attorneys for Defendants*
14 Hitachi, Ltd., Hitachi Displays, Ltd. and Hitachi Electronic
15 Devices (USA), Inc.

16 By: s/ Robert Wick
17

18 Robert Wick (*pro hac vice*)
19 Neil Roman (*pro hac vice*)
20 Derek Ludwin (*pro hac vice*)
21 COVINGTON & BURLING LLP
22 1201 Pennsylvania Ave., NW
23 Washington, DC 20004
24 (202) 662-6000 (telephone)

25 *Attorneys for Defendants*
26 Samsung Electronics Co., Ltd.,
27 Samsung Semiconductor, Inc. and
28 Samsung Electronics America, Inc.

21 By: s/ John M. Grenfell
22

23 John M. Grenfell
24 Jacob R. Sorensen
25 Fusae Nara
26 Andrew D. Lanphere
27 PILLSBURY WINTHROP SHAW PITTMAN LLP
28 50 Fremont Street
San Francisco, CA 94105

26 *Attorneys for Defendants*
27 Sharp Corporation
28 Sharp Electronics Corp.

1
2 By: s/ Christopher M. Curran
3

4 Christopher M. Curran (*pro hac vice*)
5 Kristen J. McAhren (*pro hac vice*)
6 WHITE & CASE LLP
7 701 Thirteenth Street, NW
8 Washington, DC 20005-3807
9 (202) 626-3600 (telephone)

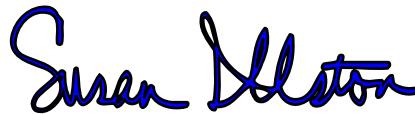
10
11 *Attorneys for Defendants*
12 Toshiba Corporation, Toshiba Mobile Display Co., Ltd.,
13 Toshiba America Electronic Components, Inc. and
14 Toshiba America Information Systems, Inc.

15 By: s/ Richard L. Schwartz
16

17 Richard L. Schwartz
18 John A. Ioannou
19 Jeremy R. Kasha
20 Assistant Attorneys General
21 120 Broadway, 25th Floor
22 New York, New York 10271
23 Tel. (212) 416-8284
24 Richard.Schwartz@ag.ny.gov

25 Attestation: The filer of this document attests that the concurrence of the other signatories thereto has
26 been obtained.

27 SO ORDERED
28



29 Honorable Susan J. Illston
30

31 3/22/11
32

33 Date Entered
34